

Entered - 02-19-04 - sb
CL 04L0117 - GWENDOLYN BURNS

CLAIM OF: **GAIL C. WHITE**
254 Sharpe Road
Columbia, South Carolina 29203

04-R-1769

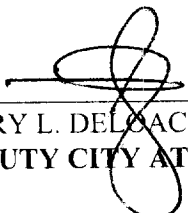
ADOPTED BY
OCT 18 2004
COUNCIL

For bodily injuries alleged to have been sustained from stepping into a water meter that was open and in an unsafe condition on December 15, 2003 at 2045 Martin Luther King, Jr. Drive, SW.

BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that action of the Department of Law be approved in authorizing payment to **GAIL C. WHITE** the sum of **\$768.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for bodily injuries alleged to have been sustained from stepping into a water meter that was open and in an unsafe condition on December 15, 2003 at 2045 Martin Luther King, Jr. Drive, SW is more particularly set forth in the within claim; said sum taken from and charged to account **2J01/529017/Q30001**.

APPROVED: **LINDA K. DISANTIS**
CITY ATTORNEY

BY: 
JERRY L. DELOACH
DEPUTY CITY ATTORNEY

FAVORABLE REPORT

**PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE**

DATE: 10/12/04

CHAIR: C. T. Mack

Flannery

Castro

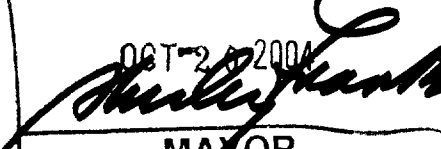
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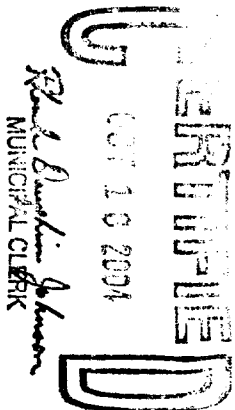
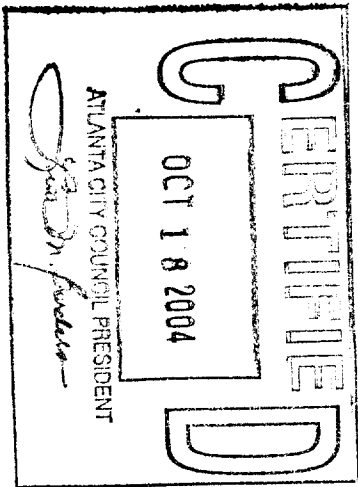
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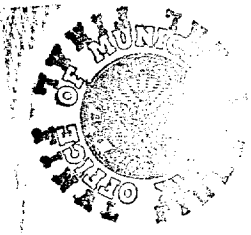
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APPROVED
OCT 28 2004

MAYOR





**MUNICIPAL CLERK
ATLANTA, GEORGIA**

04-R-1769

A RESOLUTION

BY: PUBLIC SAFETY & LEGAL ADMINISTRATION COMMITTEE

BE IT RESOLVED by the Council of the City of Atlanta that action of the Department of Law be approved in authorizing payment to **GAIL C. WHITE** the sum of **\$768.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for **bodily injuries** alleged to have been sustained from stepping into a water meter that was open and in an unsafe condition on December 15, 2003 at 2045 Martin Luther King, Jr. Drive, SW is more particularly set forth in the within claim; said sum taken from and charged to account 2J01/529017/Q30001.

A true copy,

Rhonda Daughin Johnson
Municipal Clerk, CMC

**ADOPTED by the Council
APPROVED by the Mayor**

October 18, 2004
October 20, 2004

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 04L0117

Date: September 28, 2004

Claimant /Victim GAIL C. WHITE
BY: (Atty) (Ins. Co.) _____
Address: 254 Sharpe Road, Columbia, South Carolina 30310
Subrogation: _____ Claim for Property damage \$ _____ Bodily Injury \$ 768.00
Date of Notice: 2/19/04 Method: Written, Proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 12/15/03 Place: 2045 Martin Luther King Jr. Drive, SW
Department WATERSHED MANAGEMENT Bureau: Drinking Water
Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: Claimant alleges that she sustained bodily injuries when she stepped into an a water meter in the sidewalk that was left open and in an unsafe condition. An investigation determined that the City was on constructive notice of the uncovered meter but failed to resolve the problem prior to the date of claimant's incident.

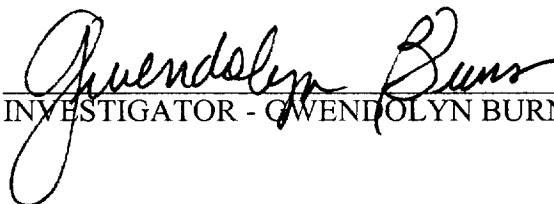
INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral X
Pictures _____ Diagrams _____ Reports: Police _____ Dept Report X Other _____
Traffic citations issued: City Driver _____ Claimant Driver _____
Citation disposition: City Driver _____ Claimant Driver _____

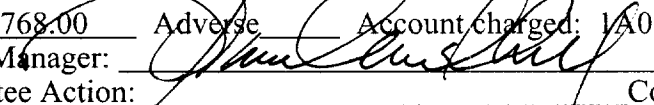
BASIS OF RECOMMENDATION:

Function: Governmental _____ Ministerial X
Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable _____
City not involved _____ Offer rejected _____ Compromise settlement _____
Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____
Claimant Negligent _____ City Negligent X Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ 768.00 Adverse _____ Account charged: 1A01 _____ 2PO1 _____ 2J01 X 2H01 _____
Claims Manager:  Concur/date 09/29/04
Committee Action: _____ Council Action _____

RCS# 6139
10/18/04
2:33 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PGS 6-18, EXCEPT:04-O-1369
04-R-1764 04-R-1765
ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 1

NV Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	B Maddox	Y Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

CONSENT I

		10-04-04 Council Meeting
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSE ON CONSENT
1. 04-O-1570 2. 04-O-1586 3. 04-O-1667 4. 04-O-1669 5. 04-O-1670 6. 04-O-1671 7. 04-O-1672 8. 04-O-1658 9. 04-O-1807 10. 04-O-1810 11. 04-O-1813 12. 04-O-1817 13. 04-O-1850 14. 04-O-1651 15. 04-O-1654 16. 04-O-1808 17. 04-R-1472 18. 04-R-1751 19. 04-R-1798 20. 04-R-1485 21. 04-R-1759 22. 04-R-1760 23. 04-R-1761 24. 04-R-1797 25. 04-R-1824 26. 04-R-1825 27. 04-R-1762 28. 04-R-1754 29. 04-R-1755 30. 04-R-1756 31. 04-R-1757 32. 04-R-1827 33. 04-R-1799 34. 04-R-1768 35. 04-R-1769 36. 04-R-1770 37. 04-R-1771	38. 04-R-1772 39. 04-R-1773 40. 04-R-1774 41. 04-R-1775 42. 04-R-1776 43. 04-R-1777 44. 04-R-1778 45. 04-R-1779 46. 04-R-1780 47. 04-R-1781	48. 04-R-1783 49. 04-R-1784 50. 04-R-1785 51. 04-R-1786 52. 04-R-1787 53. 04-R-1788 54. 04-R-1789 55. 04-R-1790 56. 04-R-1791 57. 04-R-1792 58. 04-R-1793 59. 04-R-1794